

REQUIREMENT FOR INFORMATION

1. An issue of public use or on sale activity has been raised in this application. In order for the examiner to properly consider patentability of the claimed invention under 35 U.S.C. 102(b), additional information regarding this issue is required as follows: Applicant's disclosure document describes certain activities that occurred in November 2002, which events occurred more than one year prior to the effective filing date of the present application. Pursuant to MPEP 2133.03 et seq., more information is required regarding these activities. In particular, it is requested that the location of the activities be described, with extra attention directed to the specific location and whether or not it was publicly accessible, such as whether or not the exact location would have been considered to have an expectation of privacy or not or whether the exact location was in the open such that anyone nearby could see the activities described (see section II.A., sub-parts 2. and 3.).

Applicant is reminded that failure to fully reply to this requirement for information will result in a holding of abandonment.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harry D. Wilkins, III whose telephone number is 571-272-1251. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Susy Tsang-Foster can be reached on 571-272-1293.

Comment [S1]:

¶ 7.105 Requirement for Information, Heading

Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

Examiner Notes

1. This form paragraph should appear at the beginning of any requirement for information under 37 CFR 1.105, and should be followed by an explanation of why the required information is necessary for examination. Form paragraphs 7.106 - 7.121 may be used as appropriate.
2. The requirement for information should conclude with form paragraphs 7.122 - 7.126 as appropriate.

Please use also form paragraph 7.126.

¶ 7.126 Conclusion Of Requirement Marked Without Any Other Office Action
This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of (1) months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Examiner Notes

1. This form paragraph must be preceded by form paragraph 7.105, and should appear at the conclusion of any requirement for information mailed without any other Office action. If the requirement for information is mailed with an Office action, use form paragraph 7.125 instead.
2. The period for reply is ordinarily set for 2 months.

Remove Office Action Summary form and use PTO-90C instead and write on the PTO-90C, "see attached Requirement for Information under Rule 105."

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Harry D Wilkins, III/
Primary Examiner, Art Unit 1795

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